

February 14, 2020

VIA ECF

The Honorable James L. Cott
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Mayagüez SA. v. Citigroup, Inc., et al., Case No. 16 Civ. 06788(PGG) (JCL)

Dear Judge Cott:

We write on behalf of Plaintiff Mayagüez, S.A. (“Mayagüez”) and Defendants Citigroup, Inc. (“Citigroup”) and Citibank, N.A. (“Citibank” and together with Citigroup, the “Defendants”) in the above-referenced action. Expert discovery is currently set to close on February 24, 2020. Mayagüez and the Defendants (together, the “Parties”) have made good faith attempts to schedule expert depositions before that deadline, particularly cognizant of Your Honor’s directives in that regard. For the reasons explained below, pursuant to Your Honor’s Individual Rules and Practices, the Parties respectfully submit this joint letter, pursuant to which Mayagüez asks if the Court will allow expert discovery to be extended by thirty (30) days, to close on March 25, 2020, to permit three depositions (two of Mayagüez’s experts and one of Defendants’ experts) to take place on dates on which the Parties are prepared to proceed if the Court approves.¹

Due to experts’ scheduling conflicts and other depositions already scheduled, if the Court approves, the Parties will proceed with the depositions of two of Mayagüez’s experts, Messrs. Snow and Munoz, on February 25, 2020 and February 28, 2020 respectively.

With respect to the deposition of one of Defendants’ experts, Professor René Stulz: On November 8, 2019, Mayagüez served on Defendants the Corrected Expert Report of Pietro Veronesi, and the Amended Expert Report of Karl N. Snow. On January 14, 2020, Professor Stulz responded to both reports. Thereafter, the Parties agreed that Professor Stulz’s deposition would take place on February 13, 2020. On February 6 and 7, 2020, respectively, Mayagüez served a second “Corrected Report” by Professor Veronesi and “Amended Report” by Dr. Snow. On February 12, 2020, Defendants advised Mayagüez that, given the timing of those reports’ issuance,

¹ The Parties are not seeking to move the status conference to be held on March 2, 2020. (Dkt. 112).

Professor Stulz would not be in a position at his February 13 deposition to offer opinions regarding changes reflected in them, and that Defendants reserved all rights with respect to their issuance and related issues, and would likely object to any request by Mayagüez for a second deposition to depose Professor Stulz on any opinions regarding the changes reflected in these reports. In light of the foregoing, Defendants offered to discuss the postponement of Professor Stulz's deposition if Mayagüez wished to do so. After discussing with Defendants, Mayagüez proposed that the deposition be postponed until such date that Professor Stulz would be in a position to offer opinions regarding the Corrected Veronesi and Amended Snow reports dated February 6 and 7. The earliest next date on which Professor Stulz is available to be deposed, including to offer opinions regarding changes reflected in these reports, is March 24, 2020, and, if the Court approves, the Parties are prepared to proceed on that date.

Respectfully submitted,

/s/ Gabriel Soledad

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